

HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated Nainital the 1st day of August 2005
Bail Application No. 666 of 2005
Order on the bail application of the accused.

CRIMINAL SIDE

Babu Ram S/o Tungal Singh
R/o Geetanagar Gali no.6.IDPL Veerbhadra, Rishikesh,
District Dehradun.

.....Applicant

Versus

State of Uttaranchal

.....Opposite Party

Case Crime No. 87 of 2004
Under Section 409 IPC
Police Station – Bhagwanpur
District – Haridwar

BY THE COURT

Hon'ble J.C.S. Rawat, J.

Heard learned counsel for the applicant and learned
AGA for the State and perused the record.

It has been contended that the said trucks were not
reached at the destination. The prosecution has not taken
into account as to how many trucks were taken out and it
was further contended that there is no entry with regard
to the trucks by which the said rice was taken out from
the godown. The Investigating Officer has not taken into
possession the gate slips by which the truck was taken
out from the godown. There is no weighing slip with
regard to the rice. It was further contended that the
Investigating officer has not taken into possession the
gate pass by which the said trucks alleged to have been
taken from Roorkee to Bhagwanpur. It was also pointed
out that there is no entry of the said trucks, which were
carrying from kashipur to Roorkee. There is a check post

in between Kashipur and Roorkee at Najjibabad (U.P.-Uttaranchal border). The Investigating Officer has not taken into consideration these entries of the rice. Considering, the totality of the circumstances, it is a fit case for bail.

Let the accused-applicant be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Chief Judicial Magistrate concerned.

(J.C.S. Raw at, J.)

Dated 01.08.2005
MPS